

20/003/031



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake District Office
2370 South 2300 West
Salt Lake City, Utah 84119



IN REPLY REFER TO:

3809
U-72296
(UT-025)

FEB 17 1995

CERTIFIED MAIL P 760 541 138
RETURN RECEIPT REQUESTED

Mr. William Bown
Utah Building Stone Supply
842 West 400 North
West Bountiful, Utah 84087

Dear Mr. Bown:

Your Notice to conduct mining exploration operations under BLM's 3809 surface mining regulations was received on January 30, 1995. We have assigned your Grouse Creek Mountain mining operations on public lands in, Sections 34 and 35, T. 13 N., R. 17 W., and Sections 1, 3, 10, and 11, T. 12 N., R. 17 W. SLM, in western Box Elder County, Utah, case file number U-72296. In future correspondence for your Grouse Creek Mountain operations please refer to this number.

A review of your recently submitted Notice by our staff raised the following concerns:

1. Dan Washington of my staff calculated the acreage of existing disturbance and the amount of proposed new disturbance as approximately 11.6 acres from the map you submitted with your notice. The Surface Mining regulations (43 CFR 3809.1-4) state that disturbance of greater than 5 acres requires a Plan of Operations rather than a Notice.
2. Prior to any surface disturbance a cultural clearance will have to be completed on areas not previously cleared. Snow cover conditions are such that there is not enough bare ground to allow a cultural clearance, therefore, the clearance will be conducted when weather permits. Areas of new disturbance will have to be flagged before the clearance is conducted.
3. A raptor study will need to be conducted by our wildlife specialist. Mitigation for raptors may be required.
4. The Bureau's Riparian-Wetland Initiative has been recently implemented and establishes guidelines for activities within 100 meters of riparian areas. You will be required to follow these established guidelines.

5. The alignment for the proposed changes in the access routes to the existing and proposed quarries should be designed to be safe and create the least amount of disturbance. The alignment should also be flagged so it may be analyzed and included in our required environmental documentation.

Since Dan determined that the Grouse Creek Mountain operation is greater than 5 acres, a Plan of Operation will be required. To meet our obligation described in the National Environmental Policy Act (NEPA) an EA to fully analyze these operations is also required.

Enclosed for your information is a copy of our suggested format for a Plan of Operations. Most of the information needed for the plan is in your notice. An amendment to your notice which includes a reclamation plan as described in item (8) of our suggested plan format and a more detailed description of the proposed and existing access to be used for this operation would satisfy a Plan of Operation submission. As you mentioned to Dan when you dropped your notices by the office you would like to meet with us to discuss all your operations. Please call so we can schedule a time to do so. In order for my staff to complete the environmental assessment some of the specialists need to complete a field exam of the operation area and would like to schedule a time when you could join us to do this exam.

Operations under a Plan of Operations require you to provide a reclamation bond. The State of Utah also requires a bond for large mining operations. To prevent double filing of a bond, the State of Utah will hold the bond for this operation with the United States Government as a joiner. We can discuss the details of a bond at our meeting.

Copies of the information provided in this Notice will be forwarded to the Utah Division of Oil, Gas, and Mining (UDOGM). As such, you will not be required to provide this information to UDOGM, however, reclamation under this Notice is required within specifications of the Utah Mined Land Reclamation Act. Copies of the information provided in this Notice have also been forwarded to the Utah Division of Water Quality.

Within 30 days of receipt of this letter, you are required to submit the information requested so we may complete our analysis of your Grouse Creek Mountain operation.

If you have any questions, please feel free to contact Dan Washington at (801) 977-4300.

Sincerely yours,

Leon E. Berggren (acting)

Leon E. Berggren
Bear River Resource Area Manager

cc: ~~UDOGM~~
UDWQ